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# Wisconsin Briefs

*from the Legislative Reference Bureau*

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Brief 04-4

February 2004

## OLDER DRIVERS AND TRAFFIC SAFETY

Calls for legislation for restrictions on driver license renewals for older drivers often follow media coverage of a high-profile crash causing death or multiple injuries. A number of states, including Wisconsin, have made or are considering changes to laws relating to motor vehicle licensing of older drivers.

The issue will become increasingly significant as the proportion of the population over age 65 increases, from about 12.4% in 2000 to a U.S. Census projection of 18.5% in 2025, and more than 20% by 2045. State governments will need to find an appropriate balance between the public safety concerns in identifying drivers who are not able to operate motor vehicles safely, and the capacity of senior citizens to maintain their independence. This is a challenge facing an aging population living in a society in which the ability to drive a motor vehicle is seen as almost a necessity, especially in communities that lack adequate rapid transit.

### BACKGROUND

Driving a motor vehicle has become routine for most adults in the U.S., but it is a surprisingly complex task involving the use of a number of different skills. Drivers need to be able to sense changes in the road environment, process the information, make decisions, and respond quickly.

**Adapting to Aging-Related Changes.** Vision, hearing, motor skills, and reaction times do tend to decline as a person ages, whether because of the aging process itself or because of the increased incidence of diseases

such as arthritis, glaucoma, and others during advanced age.

Aging does not, however, affect all people in the same way, at the same ages, and at the same rate. Many drivers are able to compensate for some of these factors, while others will no longer be able to drive safely. For example, turning one's head frequently to observe traffic to the sides can make up somewhat for reduced peripheral vision. Allowing more space between cars can compensate for diminished depth perception and slower reaction times. Reduced night vision may force an older driver to limit his or her driving to daylight hours and have someone else drive at night. Drivers who take various medications (whether prescription or over-the-counter) need to be aware of the effects of their drugs (and interactions between different drugs) and may sometimes need to refrain from driving.

For drivers suffering from dementia, Alzheimer's disease, or other cognitive and memory defects, continuing to drive at all simply will not be safe and family or friends need to recognize the decline in cognitive ability and intervene to assure that the person will not attempt to drive.

**Road Design.** Changes in road design can provide some partial accommodation for physiological conditions that affect driving. Larger and higher contrast lettering on signs, for example, can be useful for those with visual impairments. Redesign of intersections and left turn lanes can alleviate some difficulties in judging the distance and speed of oncoming

traffic and make decision-making easier. Longer entrance and exit ramps on highways can also help.

**Crash Statistics.** In some respects, older drivers are collectively among the safest drivers on the road in that they have more experience driving and are less likely than other age groups to speed and to drive while drunk. Indeed, some automobile insurance companies offer discounts to drivers over age 55. Drivers aged 65 or older accounted for about 15% of Wisconsin licensed drivers in 2002, but about 8% of crashes. In contrast, drivers aged 24 and younger accounted for a greater percentage of crashes (about 30%) than their proportion of all licensed drivers (about 15%).

Fatal crash rates, however, present a different picture. Drivers in their teens and early twenties have high fatal crash rates – more than 0.6 fatalities per 1,000 licensed drivers for teenage drivers and a rate of about 0.5 for the 20-24 age group. The rate falls sharply with age, dropping to 0.3 for the 25-34 group, and continues to decline to less than 0.2 for the 65-74 group. For drivers age 75 and older, however, the rates increase sharply, approaching (but not reaching) the rates for drivers in their early twenties. One factor contributing to increased fatalities for older drivers is that they are physically more susceptible to severe injury in a crash that a younger driver might be able to survive.

A Wisconsin Department of Transportation analysis of Wisconsin drivers in crashes per vehicle miles travelled (VMT) during 2002 found that incidence of crashes declines with age group, dropping below 300 drivers in crashes per 100 million VMT for the 45-49, 50-54, and 55-59 age groups. It increases slightly with the 60-64, 65-69, and 70-74 age groups, and increases more markedly beginning at age 75. For drivers aged 85 and older, the rate is 616 drivers in crashes per 100

million VMT; that is roughly the same as the rate for drivers aged 20-24 (644), but is still considerably lower than the rate of 2,144 per 100 million VMT for drivers aged 16-19.

One analysis of Wisconsin crashes per miles driven during 1998-2002 found drivers aged 81 and older to have 6 drivers per million miles travelled involved in reported crashes, about the same as for drivers aged 21-25, but about double the rate of drivers aged 31-70. Only drivers 20 and under fared worse, with 16 drivers involved in a crash per million miles travelled.

In short, by some measures, older drivers have proportionately fewer crashes than the general driving population, but that may be because they also drive less. However, the crashes that do occur are statistically more likely to be fatal or cause injury.

## OTHER STATES' POLICIES

Most states have policies to review an individual driver's capabilities and restrict or revoke a driver's licence if the person's driving is determined to be unsafe, regardless of age. But these policies often depend on a family member, physician, law enforcement officer, or other person reporting the driver to the state for retesting or evaluation by a medical review board or other body. Many find these procedures less effective than they should be because of the strong emotional conflicts that can arise in "taking the keys away" from an older driver.

Some states address the issue by implementing a more systematic means of monitoring all drivers over a certain age, by shortening the licence renewal interval or retesting drivers. Some people, however, view these approaches as a form of age discrimination, saying that it imposes additional burdens on certain adult drivers solely on the basis of age.

Age-based laws directed toward older drivers can be viewed differently from "graduated licensing" restrictions on teenage drivers. The latter is a condition under which the adult privilege of driving a motor vehicle is extended to minors, whereas special laws applicable to older drivers make age-based distinctions among adults. Opponents of age-based laws note that some drivers in younger age groups are not as safe as older drivers, and that many older drivers who have physiological limitations acknowledge them and already make adjustments in their driving habits, such as avoiding busy roads or night driving and taking familiar routes.

According to a review of states' licensing renewal provisions as of August 2003 by the Insurance Institute for Highway Safety, 22 states and the District of Columbia have various types of renewal procedures for drivers who reach a certain age that do not apply to younger adult drivers.

Among other states, however, Maryland, Minnesota, and Nevada have laws that specifically prohibit age alone as grounds for reexamination of drivers, and Massachusetts prohibits any discrimination in motor vehicle licensing on the basis of age.

**Accelerated Renewal.** Fourteen states require older drivers to renew their licenses more often than the regular renewal period for other adult drivers. The youngest age to which this kind of provision applies is at age 61 in Colorado, where older drivers must renew every five years rather than every 10 years. In Illinois, the accelerated renewal period does not apply until age 81; drivers aged 81-86 must renew every two years, compared to four years for other drivers. Starting at age 87, license renewal is required annually in Illinois.

In contrast to states that require more frequent renewal for older drivers, Tennessee law provides that licenses issued to drivers 65

and older do not expire. Furthermore, seniors 60 and older in Tennessee are entitled to reduced fees. In Oklahoma, renewals are every four years for all drivers, but fees are reduced for drivers aged 62-64, and waived for those 65 and older.

**Vision Tests.** Seven states require vision tests for older drivers that are not routinely required of other drivers renewing their licenses. Maine requires a vision test for every other renewal starting with the first one after age 40; after age 62, the state requires a vision test upon every renewal.

**Skills and Knowledge Retesting.** Two states require older drivers to take a road test to be able to renew their licenses. Illinois requires a road test for renewal applicants age 75 and older. In New Hampshire, drivers must take a road test with renewals at age 75 and older, but the renewal period is the same five years as for all adult drivers. The District of Columbia may require a road test (and/or a written test) for drivers 75 and older, and may require a reaction test for drivers 70 and older.

**Physician Certifications.** Although most states can review a driver's capability to drive upon referral by a physician, only the District of Columbia requires all renewal applicants aged 70 and older to provide a statement from a physician certifying the applicant to be mentally and physically competent to drive. Nevada requires a medical report for drivers who are 70 and older only if the driver renews by mail.

**No Mail Renewal.** Among states that allow drivers to renew their licenses by mail or online, six states require older drivers to appear personally for license renewal as a way of monitoring for some of the more obvious signs that a person may not be competent to drive safely.

Some states that do permit mail or online renewal may also prohibit consecutive mail renewals by drivers of any age.

## **PROPOSED WISCONSIN LEGISLATION**

**Current Law.** The 1997 biennial budget (Act 27) extended the renewal period for a regular Wisconsin Class D driver license from four years to eight years, and increased the fee from \$10 to \$24. During the transition period from four- to eight-year renewals, noncommercial drivers with good driving records received four year extensions by mail, with no personal appearance and vision test required. Licenses so extended will remain in circulation through February 2006, after which all current Wisconsin license renewals will be on the new eight-year cycle.

**Proposed Changes for Older Drivers.** 2003 Assembly Bill 575, sponsored by Representatives Sheldon A. Wasserman and J.A. Hines, proposed shortening the renewal period to two years and requiring a written test for drivers aged 75-94 years. A road test would also be required for drivers over the age of 75 who committed a moving violation during the prior period. Starting at age 95, renewal would be annual and also require a road test. (Current law sets the fee for a road test at \$15, with up to two additional attempts included in the fee for those who fail the first test. The bill proposes to change the fee to \$15 per test for all drivers, with additional fees payable for re-tries.) Older drivers would pay more to renew their licenses, at the rate of \$5 per year of each renewal period (compared to \$24 for the eight-year license) to defray some of the costs of more frequent renewals.

Assembly Substitute Amendment 1 (ASA-1) to 2003 AB-575, offered on January 27,

2004, by Representatives Wasserman and John Ainsworth, and subsequently recommended by the Assembly Committee on Transportation would leave the renewal period and fees for all drivers at the current eight years and \$24, but would require a vision test every three years for drivers aged 75-84, and every two years for drivers aged 85 and older. Drivers 85 and older would also need to pass a knowledge test every two years. A road test would remain optional at the discretion of the Department of Transportation (DOT), rather than required as in the original AB-575.

ASA-1 also proposes a study of the impact of the law (if enacted) on the affected age groups' crash rates, violation rates, loss of driving privileges, and related issues. It would direct DOT to appoint an advisory council to study the effects of aging and driving ability, identify existing transportation alternatives, and examine additional transportation alternatives for older drivers throughout the state. As of February 20, 2004, the bill had not been scheduled for a vote by the full Assembly.

## **FOR ADDITIONAL INFORMATION**

The text and history of 2003 Assembly Bill 575 and amendments can be viewed by using "Text and History of Legislative Proposals" at [www.legis.state.wi.us](http://www.legis.state.wi.us).

Further information is available from the following Internet sites:

- Wisconsin Department of Transportation: [www.dot.state.wi.us/drivers](http://www.dot.state.wi.us/drivers)
- Insurance Institute for Highway Safety: [www.iihs.org/safety\\_facts/fatality\\_facts/older\\_people.htm](http://www.iihs.org/safety_facts/fatality_facts/older_people.htm)
- National Highway Traffic Safety Administration: [www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/TSF2002/2002oldfacts.pdf](http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/TSF2002/2002oldfacts.pdf)

## Age-Based Renewal Laws for Older Drivers

(Age at which policy first applies/retesting interval in parentheses.)

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### Accelerated Renewal (14 states)

Arizona (65 / 5 years)	Kansas (65 / 4 years)
Colorado (61 / 5 years)	Maine (65 / 4 years)
Hawaii (72 / 2 years)	Missouri (70 / 3 years)
Idaho (63 / 4 years)	Montana (75 / 4 years)
Illinois (81 / 2 years; 87 / 1 year)	New Mexico (75 / 4 years)
Indiana (75 / 3 years)	Rhode Island (70 / 2 years)
Iowa (70 / 2 years)	South Carolina (65 / 5 years)

### Vision Testing (7 states)

Arizona (65)	Oregon (50)
District of Columbia (70)	South Carolina (65)
Florida (80)	Utah (65)
Maine (40, every other renewal; 62, every renewal)	

### No Mail Renewal (6 states)

Alaska (69)	Colorado (66)
Arizona (70)	Connecticut (65, with hardship exceptions)
California (70)	Louisiana (70)

### Skills and Knowledge Retesting (3 states)

District of Columbia (optional road and/or written testing at 75; optional reaction testing at 70)	Illinois (75, road test) New Hampshire (75, road test)
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### Physician Certification (2 states)

District of Columbia (70)	Nevada (70, if mail renewal)
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Source: Derived from Insurance Institute for Highway Safety, "U.S. Driver Licensing Renewal Procedures for Older Drivers as of August 2003." [http://www.hwysafety.org/safety\\_facts/state\\_laws/older\\_drivers.htm](http://www.hwysafety.org/safety_facts/state_laws/older_drivers.htm)